

Comment submitted in response to Section 63.71 Application by Touch America, Inc. to Discontinue Domestic Telecommunications Services

WC Docket No. 03-259

1. The Touch America Section 63.71 Application requests FCC authorization to discontinue telecommunications services as of January 31, 2004.
2. Fifth Third Bank provides credit and debit card processing services to merchants, grocers and financial institutions domestically and internationally through its subsidiary, Fifth Third Processing Solutions.
3. Fifth Third Bank entered an agreement allowing Qwest Communications to provide telecommunications services supporting Fifth Third Bank's branch network and Fifth Third Processing Solutions' domestic private line and frame relay network.
4. Through Qwest Communications' acquisition of US West Communications, Touch America became a provider of Fifth Third Processing Solutions' private line and frame relay network supporting clients within the 14-state Qwest in-region territory.
5. Touch America requested FCC authorization to discontinue frame relay and ATM services on January 8, 2004. In this docket, Touch America states individual written notices were provided to each customer impacted by the proposed discontinuance via first class mail on December 2, 2003. Fifth Third Bank received no such notice or proof that a notice of rejection was sent to Fifth Third Bank by Touch America or 360Networks after repeated requests.
6. Fifth Third Bank, while awaiting confirmation of the conversion to 360Networks, was advised by Qwest Communications on January 14, 2004, of being found on a reject list produced by 360Networks. Touch America confirmed this within hours of Fifth Third Bank's inquiry.
7. Fifth Third Bank has been working diligently with Qwest Communications to acquire services to support Fifth Third Processing Solutions' client base in the Qwest in-region territory since learning of our impending loss of telecommunications service on January 31, 2004. At this time, it is unknown if Qwest Communications will be able to support such stringent timelines for Fifth Third Bank's private line and frame relay circuits to be transitioned wholly.

8. On these grounds, Fifth Third Bank is petitioning the Commission to extend the discontinuance of Touch America's private line and frame relay network to February 28, 2004. This will provide the necessary time for Qwest Communications to coordinate the migration of services from Touch America to their own.

Respectfully Submitted,
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Fifth Third Bank